

NOV 26 2004

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number

10,813,918

Filing Date

03-31-2004

First Named Inventor

Kalthoff et al.

Art Unit

3621

Examiner Name

Attorney Docket Number

LDT01-GN001

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> ITEMIZED RETURN POST CARD
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

INCLUDING EXECUTED DECLARATION (2 PGS) AND ASSERTION OF SMALL ENTITY (2 PGS)

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DEC 03 2004

OFFICE OF PETITIONS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

TAFT, STETTINIUS & HOLLISTER LLP

Signature

Printed name

RYAN L. WILLIS

Date

11-22-2004

Reg. No.

48,787

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

SHARON A. SHELTON, PARALEGAL

Date 11-22-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 10/01/2004. Patent fees are subject to annual revision.

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$)1601.00

Complete if Known

Application Number	10/813,918
Filing Date	03-31-2004
First Named Inventor	Kalthoff, et al.
Examiner Name	
Art Unit	3621
Attorney Docket No.	LDT01-GN001

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order
 Deposit Account None
Deposit Account Number 50-3072Deposit Account Name Taft, Stettinius & Hollister LLP

The Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below
 Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 Credit any overpayments

to the above-identified deposit account.

 Other (please identify): _____

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FEE CALCULATION

1. BASIC FILING FEE

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	395
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	

Subtotal (1) \$ 395

2. EXTRA CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

$$\text{Total Claims } 80 - 20 \text{ or HP} = 60 \times 9 = 540.00$$

HP = highest number of total claims paid for, if greater than 20

$$\text{Indep. Claims } 7 - 3 \text{ or HP} = 4 \times 44 = 176.00$$

HP = highest number of independent claims paid for, if greater than 3

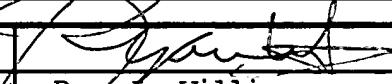
$$\text{Multiple Dependent Claims } \text{Fee ($)} \text{ Fee Paid ($)}$$
Subtotal (2) \$ 716.00

3. OTHER FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	
3-month extension of time	980	490	490.00
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	
Other: _____			

Subtotal (3) \$ 490.00

SUBMITTED BY

Signature		Registration No. 48,787 (Attorney/Agent)	Telephone 513/357/9663
Name (Print/Type)	Ryan L. Willis		Date 11-22-2004

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PROCESSING FEE
Under 37 CFR 1.17(i)
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/813,918
Filing Date	03-31-2004
First Named Inventor	Kalthoff, et al.
Art Unit	3621
Examiner Name	
Attorney Docket Number	LDT01-GN001

Enclosed is a paper filed under 37 CFR 1.53 (b) that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(i), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-3072:
 processing fee under 37 CFR 1.17(i) any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.

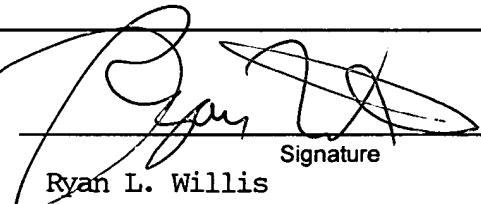
Check in the amount of \$ _____ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,
Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

§ 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
 § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
 § 1.48 - for correcting inventorship, except in provisional applications.
 § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
 § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
 § 1.55 - for entry of late priority papers.
 § 1.99(e) - for processing a belated submission under § 1.99.
 § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
 § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
 § 1.103(d) - for requesting deferred examination of an application.
 § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
 § 1.221 - for requesting voluntary publication or republication of an application. Fee Code 1803
 § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
 § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
 § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.



Signature

Ryan L. Willis

Typed or printed name

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11-22-2004

Date

48,787

Registration No., if applicable

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Effective on 10/01/2004. Patent fees are subject to annual revision.

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
 1001.00
Complete if Known

Application Number	10/813,918
Filing Date	03-31-2004
First Named Inventor	Kalthoff, et al.
Examiner Name	
Art Unit	3621
Attorney Docket No.	LDT01-GN001

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order

 Deposit Account None

Deposit Account Number **50-3072**
Deposit Account Name **Jaft, Stettinius & Hollister LLP**

The Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below
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 Other (please identify): _____

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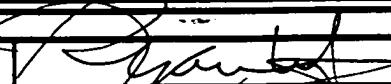
FEE CALCULATION
1. BASIC FILING FEE

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid(\$)
Utility Filing Fee	790	395	395
Design Filing Fee	350	175	
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Subtotal (1)	\$ 395		

Subtotal (2) \$ 716.00

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37 CFR 1.17(q) processing fee		50	50
Non-English specification		130	130
Notice of Appeal		340	170
Filing a brief in support of appeal		340	170
Request for oral hearing		300	150
Other:			
Subtotal (3)	\$ 490.00		

SUBMITTED BY

Signature		Registration No. 48,787 (Attorney/Agent)	Telephone 513/357/9663
Name (Print/Type)	Ryan L. Willis		Date 11-22-2004

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NOV 26 2004 Under 37 CFR 1.17(i)

TRANSMITTAL

(See's are subject to annual revision)

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P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/813,918
Filing Date	03-31-2004
First Named Inventor	Kalthoff, et al.
Art Unit	3621
Examiner Name	
Attorney Docket Number	LDT01-GN001

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Except for § 1.221 papers (Fee Code 1803)**

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§ 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.

§ 1.48 - for correcting inventorship, except in provisional applications.

§ 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.51(b).

§ 1.55 - for entry of late priority papers.

§ 1.99(e) - for processing a belated submission under § 1.99.

§ 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).

§ 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d) - for requesting deferred examination of an application.

§ 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.

§ 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**

§ 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.

§ 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.

§ 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

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Signature
Ryan L. Willis

Typed or printed name

11-22-2004

Date

48,787

Registration No., if applicable

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UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,918	03/31/2004	Robert Michael Kalthoff	LDT01-GN001

030074
 TAFT, STETTINIUS & HOLLISTER LLP
 SUITE 1800
 425 WALNUT STREET
 CINCINNATI, OH 45202-3957



CONFIRMATION NO. 5039
 FORMALITIES LETTER

 OC000000012998314

Date Mailed: 06/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

12/01/2004 DALLEN 00000009 10813918

Filing Date Granted

DEC 03 2004

01 FC:1461 Items Required To Avoid Abandonment:

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1424** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2324** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1424**

- **\$344** for **4** independent claims over **3**.
- **\$1080** for **60** total claims over **20**.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

BINH
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

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